

REMARKS

Election/Restrictions

Examiner acknowledges the election without traverse of claims 1-20 in the reply filed on 05/13/2005. It should also be noted that applicants expressly reserved their right under 35 USC § 121 to file a divisional application directed to the nonelected subject matter during the pendency of the subject application in that response.

Claim Rejections – 35 USC §.103

Claims 1-14, 17 and 18 are rejected under 35 USC 103(a) as being unpatentable over Dai et al (US 2004/0093719), hereinafter Dai, in view of Schriener et al (US 6,350,495), hereinafter Schriener.

Examiner takes the position that Dai shows a slider assembly including a plurality of sliders bonded by a debondable solid encapsulant, with each slider having a surface that is free from the encapsulant, and the encapsulant-free surfaces are coplanar to each other.

Examiner also takes the position that the Dai encapsulant is comprised of thermoplastics or other polymers, but admits that Dai does not specify styrene and butadiene polymers.

Attorney for applicant sought the assistance of one the inventors in distinguishing the present invention over the Dai reference. Applicant has provided, through its inventor, an Attachment A which sets forth the differences between Dai and the present invention.

In that attachment applicant notes that Dai teaches a method involving a solid film of a thermoplastic polymer, which is placed on top of the array of parts. The assemblage is heated above the softening temperature of the film and the softened material flows downward filling the gaps between parts. Because these parts are temperature sensitive, there are limits on how high the assemblage can be heated. Limits in the range of 150°C are typical.

As a consequence, and contrary to applicant's process using low viscosity materials, the softened film at these temperatures exists in a very high viscosity state and has difficulty filling narrow spacing between parts. This limits the throughput for the process since wide gaps are required between parts thus reducing the number of parts per carrier.

Accordingly applicant has amended claim 1 so as to best express the differences between applicant's invention and Dai. Claim 1 now recites the use of *low viscosity materials to minimize gaps in the spacing of sliders disposed in an array*.

Moreover, it is difficult to envision applicant looking to the reference Schreiner for guidance *at the time the invention was made*. Schreiner speaks to coating ceramic substrates and extremely high temperature ranges, e. g. 400-750°C and 750-1100°C as recited in both the abstract and claim 1. Such temperature ranges are far above the temperatures contemplated by applicant for his application. Only with applicant's disclosure in hand, and through the use of impermissible hindsight reconstruction, could applicant's invention be found obvious over the combination of Dai and Schreiner. Inventor's email to attorney for applicant includes useful comments relating to Schreiner and is included as page 1 of Attachment A.

In any event, applicant's amendments to the claims have placed the application in a form suitable for allowance.

While applicant has considered Examiner's arguments against patentability for claims 11-14, 17, 18 and 15, 16, 19 and 20, applicant argues that the amendments to claim 1 has placed independent claim 1 as well as all claims dependent there from in allowable form and has not addressed individual comments directed to the above-noted claims.

Please note that the filing date of applicant's subject application is June 30, 2003, which is at almost 11 months earlier than the publication date of May 24, 2004 for Dai, the primary reference relied on by Examiner against applicant's disclosure.

Thus, Examiner's use of the reference Dai against the subject application is improper, and if applicant's amendments to the claims and his supporting arguments are not persuasive, Applicant will ask that the reference Dai be withdrawn.

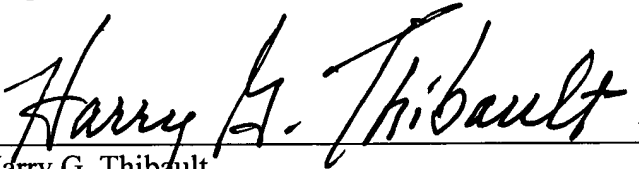
CONCLUSION

Attorney for applicant has presented the above arguments for the purpose of advancing the prosecution of the subject application and facilitating allowance of the claims. A sincere effort has been made to place this application in condition for allowance. An early notice of allowance is earnestly requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at (650) 251-7700.

Respectfully submitted,

By:



Harry G. Thibault
Registration No. 26,347

Reed Intellectual Property Law Group
1400 Page Mill Road
Palo Alto, California 94304-1124
(650) 251-7700 Telephone
(650) 251-7739 Facsimile

F:\Document\4800\0003\Amend 1.111.DOC